

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY GOVERNOR

LYNDO TIPPETT SECRETARY

December 5, 2003

U.S. Army Corps of Engineers Regulatory Field Office 6508 Falls of the Neuse Road Suite 120 Raleigh, NC 27615

ATTN:

Mr. John Thomas

NCDOT Coordinator

Subject:

Nationwide 33 application. Avery County, replacement of Bridge No. 40 over

Roaring Creek on SR 1132, Federal Aid Project No. MABRZ-1132(4), State Project

No. 8.2721101, TIP Project No. B-3303.

The U.S. Army Corps of Engineers (USACE) issued Nationwide Permits 23 and 33 for the above-mentioned project on January 24, 2002 (Action ID 200220449 and 200220450). The tear sheet for these permits is enclosed. These permits expired on February 11, 2002. The purpose of this application is to request a Nationwide Permit 33 for the removal of the temporary detour causeway in surface waters.

A temporary pipe arches causeway was required north of the existing bridge alignment to accommodate local commuters during bridge construction. The causeway consists of two 66 inch corrugated steel pipe arches and Class B rip rap. The construction of the causeway resulted in 0.07 acres (95 feet) of temporary fill of surface waters.

<u>Restoration Plan</u>: All material used in the construction of the temporary detour will be removed. The stream will then be restored to its pre-project contours.

<u>Schedule</u>: All steps will be taken to minimize impacts to Roaring Creek. The Contractor will be required to remove the temporary causeway as soon as is practical, minimizing the time of the temporary impacts to Roaring Creek. All exposed areas will be stabilized to prevent erosion.

Removal and Disposal Plan: The Contractor will be required to submit a reclamation plan for the removal of and disposal of all materials off-site at an upland location. The Contractor will use excavating equipment to remove any materials from the stream. Heavy-duty trucks, dozers, cranes and various other pieces of mechanical equipment necessary for construction of roadways and culverts will be used on site. All material placed in the stream will be removed at that time. The Contractor will have the option of reusing any of the materials that the Engineer deems suitable in the construction of the project. After the temporary causeway is no longer needed, all materials will become the property of the Contractor. It will take approximately two weeks to remove the temporary causeway.

ENVIRONMENTAL COMMITMENTS

The North Carolina Wildlife Resources Commission requires the following to be implemented to minimize impacts to aquatic resources for a Trout County:

- Instream work and land disturbance within the 25-foot wide buffer zone are prohibited during the trout spawning season of January 1 through April 15 to protect the egg and fry stages of trout from off-site sedimentation during construction.
- Disturbance of the stream channel must be limited to only what is necessary to install the bridge. Bridge replacements should maintain above and below stream conditions at pre-construction widths and depths for bedload self-scouring and aquatic life migration.
- Use of rip rap to armor the inlet and outlet ends of the bridge should be kept to a minimum. Natural bank sloping and native plant revegetation should be used to stabilize disturbed banks where practical.
- Where concrete is used, work must be accomplished so that wet concrete does not contact stream water.
- Sediment and erosion control measures should be installed where soil is disturbed and maintained until project completion. Where possible, heavy equipment will be operated from the bank rather than in the stream channel to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- Temporary or permanent herbaceous vegetation should be planted on all bare soil within 15 days of completion of ground disturbing activities to provide long-term erosion control.
- The temporary detour road should be removed back to original ground elevations immediately upon the completion of the project. Disturbed areas should be seeded or mulched to stabilize the soil and native tree species should be planted with a spacing of not more than 10' x 10'. If possible, when using temporary structures, the area should be cleared, not grubbed.
- The culverts for the temporary detour should be placed to allow aquatic life passage during bridge removal and construction. The culverts and associated rip rap should be removed upon completion of the bridge for that particular site or at the end of the moratorium period. If stream alternation occurs as a result of the culvert, the stream should be returned to pre-construction conditions.

Regulatory Approvals

<u>Section 404 Permit</u>: This project is being processed by the Federal Highway Administration as a "Categorical Exclusion" in accordance with 23 CFR 771.115(b). Therefore, we do not anticipate requesting an individual permit, but propose to proceed under a Nationwide 33 as authorized by Nationwide Permit 33 (<u>FR</u> number 10, pages 2020-2095; January 15, 2002).

<u>Section 401 Permit</u>: We anticipate 401 General Certification numbers 3366 will apply to this project. In accordance with 15A NCAC 2H .0501(a) we are providing two copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their records.

If you have any questions or need additional information, please contact Matt Haney at (919) 715-1428.

Sincerely,

Gregory J. Thorpe, Ph.D., Environmental Management Director,
Project Development and Environmental Analysis Branch

w/attachment

Mr. John Dorney, Division of Water Quality (2 copies)

Ms. Marla Chambers, NCWRC

Ms. Marella Buncick, USFWS

Mr. Harold Draper, TVA

Mr. Greg Perfetti, P.E., Structure Design

w/o attachment

Mr. David Franklin, USACE, Wilmington

Mr. Jay Bennett, P.E., Roadway Design

Mr. Omar Sultan, Programming and TIP

Ms. Debbie Barbour, P.E., Highway Design

Mr. David Chang, P.E., Hydraulies

Mr. Mark Staley, Roadside Environmental

Mr. Carl McCann, P.E., Division 11 Engineer

Mr. Heath Slaughter, Division 11 Environmental Officer

Offic	e Us	e Only:			Form Version May 2002							
USA	CE A	Action ID No.	DWQ No									
		(If any particular item is not	applicable to this proje	ct, please er	nter "Not Applicable" or "N/A".)							
I.	Pr	ocessing										
	1.	Check all of the approvale ☐ Section 404 Permit ☐ Section 10 Permit ☐ 401 Water Quality Ce		is project:	Riparian or Watershed Buffer Rules Isolated Wetland Permit from DWQ							
	<u>2.</u>	Nationwide, Regional or	General Permit Nur	mber(s) R	equested: NWP 33							
	3.	If this notification is solel is not required, check here		oecause w	ritten approval for the 401 Certification							
	4.		rify <u>av</u> ailability wit		tion Program (NCWRP) is proposed for Prior to submittal of PCN), complete							
	5.	4), and the project is wi	ithin a North Card	olina Div	twenty coastal counties (listed on page ision of Coastal Management Area of her details), check here:							
II.	Aj	oplicant Information										
	1.	Owner/Applicant Informa Name: Mailing Address:	ntion NC Department of 1548 Mail Service Raleigh, NC 2769	Center	rtation							
		Telephone Number: 919- E-mail Address:			Number: 919-715-1501							
	2.	Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.) Name:N/A Company Affiliation: Mailing Address:										
		Telephone Number:			Number:							

III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1.	Name of project: Replacement of Bridge No. 40 over Roaring Creek on SR 1132
2.	T.I.P. Project Number or State Project Number (NCDOT Only): B-3303
3.	Property Identification Number (Tax PIN): N/A
4.	Location County: Avery Nearest Town: Valley Subdivision name (include phase/lot number): N/A Directions to site (include road numbers, landmarks, etc.): Bridge No. 40 over Roaring Creek on SR 1132
5.	Site coordinates, if available (UTM or Lat/Long): 36.07°N Lat 82.03°W Long (approx.)(Note – If project is linear, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
6.	Property size (acres): N/A
7.	Nearest body of water (stream/river/sound/ocean/lake): Roaring Creek
8.	River Basin: French Broad (Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at http://h2o.enr.state.nc.us/admin/maps/ .)
9.	Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: residential and undeveloped

	existing location. Traffic will be maintained with a temporary onsite detour to the during construction. Construction equipment will consist of heavy duty trucks, earth more equipment, and cranes, etc.
11.	Explain the purpose of the proposed work: Replace substandard bridge over Roaring C resulting in safer and more efficient traffic operations.
Dъ	ior Project History
If .	jurisdictional determinations and/or permits have been requested and/or obtained for
If prothe cer but list con	· · · · · · · · · · · · · · · · · · ·
If prothe cer cer but list con Na 200	jurisdictional determinations and/or permits have been requested and/or obtained for bject (including all prior phases of the same subdivision) in the past, please explain. Including all prior phases of the same subdivision) in the past, please explain. Including the USACE Action ID Number, DWQ Project Number, application date, and date permits tifications were issued or withdrawn. Provide photocopies of previously issued per tifications or other useful information. Describe previously approved wetland, stream and describe permits issued for prior segments of the same T.I.P. project, along instruction schedules. It is a struction schedules and the same to t

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. The applicant must also provide justification for these impacts in Section VII below. All proposed impacts, permanent and temporary, must be listed herein, and must be clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) must be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: There will be temporary stream impacts to approximately 0.07 acres (95 feet) of jurisdictional stream.

Wetland Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Located within 100-year Floodplain** (yes/no)	Distance to Nearest Stream (linear feet)	Type of Wetland***
N/A					
				1.0	
				·	
excavation, floodin 100-Year floodpla (FIRM), or FEMA online at http://ww ** List a wetland ty	ng, ditching/drainage, on the same identified through the control of the same identified through the same identified through the same identified in the same ide	etc. For dam ough the Feo olain maps. I wetland to	is, separately list impacts due deral Emergency Manageme Maps are available through the	to both structure and ent Agency's (FEMA ne FEMA Map Servic er/saltwater marsh, for	 Flood Insurance Rate Map e Center at 1-800-358-9616, or orested wetland, beaver pon

List the total acreage (estimated) of all existing wetlands on the property:

3. Individually list all intermittent and perennial stream impacts below:

Total area of wetland impact proposed:___

N/A

Stream Impact Site Number (indicate on map)	Type of Impact*	Length of Impact (linear feet)	Stream Name**	Average Width of Stream Before Impact	Perennial or Intermittent? (please specify)		
Detour	Temporary fill	95	Roaring Creek	20 ft	perennial		

dams (separately lis stabilization activition proposed, plans and * Stream names can be downstream named	t impacts due to both structures (cement wall, rip-rap, crib profiles showing the linear force found on USGS topograph stream into which it flows everal internet sites also a	re and flooding wall, gabions outprint for both hic maps. If a. USGS map	ng), relocation (include linear s, etc.), excavation, ditching/s th the original and relocated st a stream has no name, list a s are available through the	mited to: culverts and associated a feet before and after, and net loss traightening, etc. If stream relocates must be included. S UT (unnamed tributary) to the USGS at 1-800-358-9616, or on USGS maps (e.g., www.topozor.org/	s/gain ation neare iline
Cumula	tive impacts (linear di	stance in f	eet) to all streams on s	ite: 95	
	ually list all open wat and any other water of Type of Impact*			Type of Waterbody (lake, pond, estuary, son bay, ocean, etc.)	· ····································
Detour	Temporary fill	0.07	Roaring Creek	stream	
List each impact so	eparately and identify tempo	rary impacts.	Impacts include, but are n	ot limited to: fill, excavation, dr	edgin
flooding, drainage, l		, ,			
include be desc Pond to Describ	truction of a pond is d above in the wetland ribed here and illustrate be created in (check a	d and streated on any all that app astruction	am impact sections. A maps included with the ly): uplands (e.g., dam/embankme		houl land:
	ed use or purpose of pormwater requirement			rrigation, aesthetic, trout	pon
Size of	watershed draining to	pond: N/	A Expected	pond surface area: N/A	

VII. Impact Justification (Avoidance and Minimization)

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts

were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts.

The existing structure will be replaced with a 95 ft long bridge in the existing location.
Traffic will be maintained with a temporary onsite detour to the north during construction.

VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on March 9, 2000, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCWRP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at http://h2o.enr.state.nc.us/ncwetlands/strmgide.html.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.

N/A

2. Mitigation may also be made by payment into the North Carolina Wetlands Restoration Program (NCWRP). Please note it is the applicant's responsibility to contact the NCWRP at (919) 733-5208 to determine availability and to request written approval of mitigation prior to submittal of a PCN. For additional information regarding the application process for the

1		he NCWRP website a roposed, please check tion:			
		eam mitigation reques ffer mitigation request	,		
		parian wetland mitigat	· •		
		parian wenand iningat on-riparian wetland mi	• `	,	
		astal wetland mitigation	~	. ,	
Env		imentation (required)	
Doe	s the project inveral/state) land?	olve an expenditure	-	state) funds or	the use of public
requ Note	irements of the e: If you are ned inator at (919) 7	ject require preparational or North Cot sure whether a North Sar-5083 to review cur	Carolina Environm JEPA/SEPA docum	ental Policy Ao ment is require	ct (NEPA/SEPA)? ed, call the SEPA
•	•	ent review been finaliz SEPA final approval le No		earinghouse? If	so, please attach a
Proj	posed Impacts or	Riparian and Wate	rshed Buffers (red	quired by DWQ	<u>)</u>)
requ justi and map Regi	ired state and loo fication for these must be clearly ic , whether or not	or agent's) responsible cal buffers associated impacts in Section VI lentifiable on the accompacts are propose be included as appropriate the second impacts are proposed.	with the project. I above. All propompanying site pland to the buffers.	The applicant osed impacts mun. All buffers mun. Correspondence	must also provide ust be listed herein, nust be shown on a ce from the DWQ
(Nei	ise), 15A NCAC	act protected ripariant 2B .0259 (Tar-Paml Requirements), or other No If you	ico), 15A NCAC	2B .0250 (Ran	dleman Rules and)?
miti	-	et and acreage of im d calculate the requi	_	_	
	Zone*	Impact	Multiplier	Required]

IX.

X.

	(square feet)		Mitigation
1		3	
2		1.5	
Total			

Zone 1 extends out 30 feet perpendicular from near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

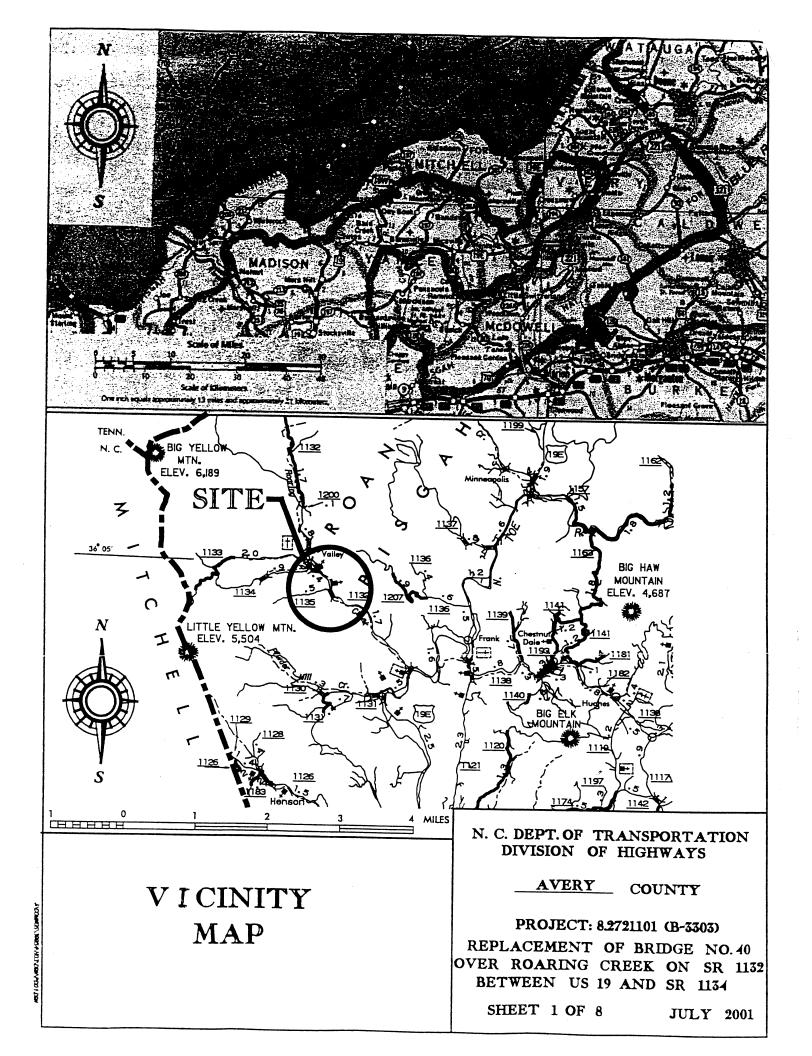
	If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Conservation Easement, Riparian Buffer Restoration / Enhancement, Preservation or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0260. No mitigation required.
	No intigation required.
XI.	Stormwater (required by DWQ)
	Describe impervious acreage (both existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property. $\underline{N/A}$
XII.	Sewage Disposal (required by DWQ)
	Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility. N/A
XIII.	Violations (required by DWQ)
	Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules? Yes No
	Is this an after-the-fact permit application? Yes ☑ No □
XIV.	Other Circumstances (Optional):
	It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on

N/A

work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).

Applicant/Agent's Signature

(Agent's signature is valid only if an authorization letter from the applicant is provided.)



LEGEND





WETLAND



DENOTES FILL IN WETLAND



DENOTES FILL IN SURFACE WATER



DENOTES FILL IN SURFACE WATER (POND)



DENOTES TEMPORARY FILL IN WETLAND



DENOTES EXCAVATION IN WETLAND



DENOTES TEMPORARY FILL IN SURFACE WATER



DENOTES MECHANIZED CLEARING

− ← FLOW DIRECTION

TB

- TOP OF BANK

__WE___ EDGE OF WATER

C _ PROP. LIMIT OF CUT

F -- PROP. LIMIT OF FILL



- PROP. RIGHT OF WAY

--NG--- NATURAL GROUND

__PL__ - PROPERTY LINE

-TDE - TEMP. DRAINAGE

EASEMENT

-- PDE --- PERMANENT DRAINAGE EASEMENT

-EAB- EXIST. ENDANGERED ANIMAL BOUNDARY

-EPB - EXIST. ENDANGERED PLANT BOUNDARY

_─ WATER SURFACE



LIVE STAKES

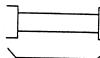
COIR FIBER ROLLS



BOULDER



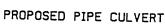
ADJACENT PROPERTY OWNER OR PARCEL NUMBER



PROPOSED BRIDGE



PROPOSED BOX CULVERT



(DASHED LINES DENOTE EXISTNG STRUCTURES)



SINGLE TREE

TINE TITLE MOODS LINE



DRAINAGE INLET

ROOTWAD



VANE



RIP RAP



RIP RAP ENERGY DISSIPATOR BASIN

BUFFER ZONE

BUFFER ZONE

N. C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS

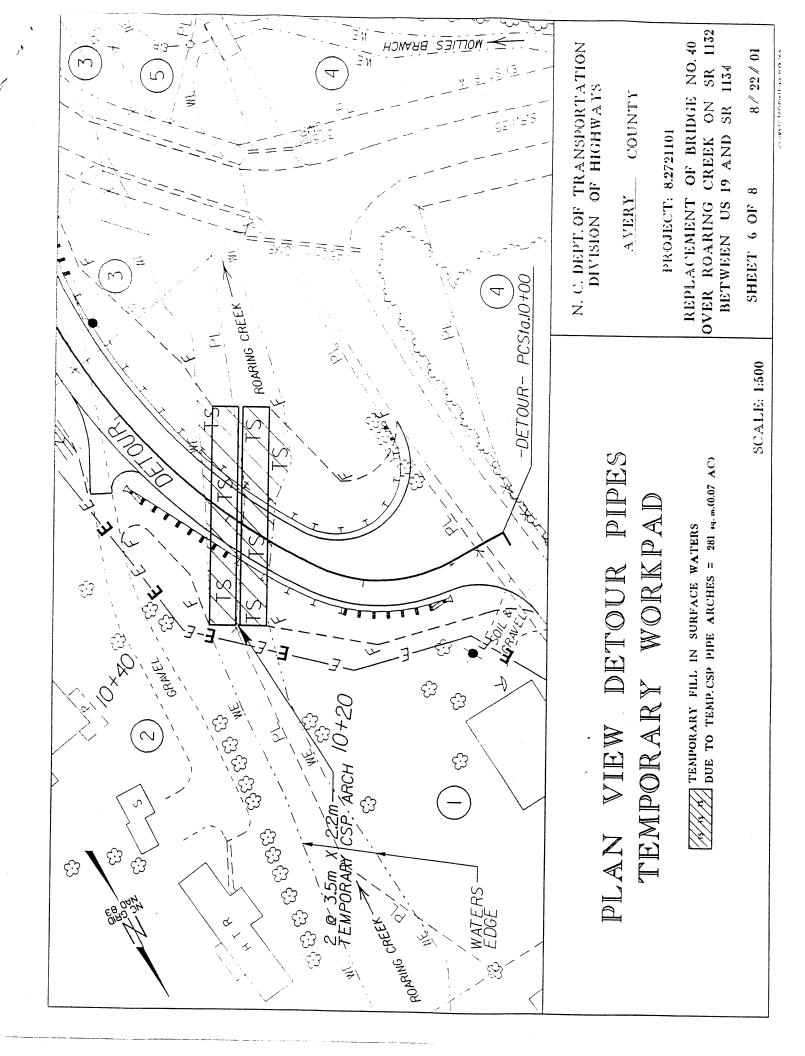
AVERY COUNTY

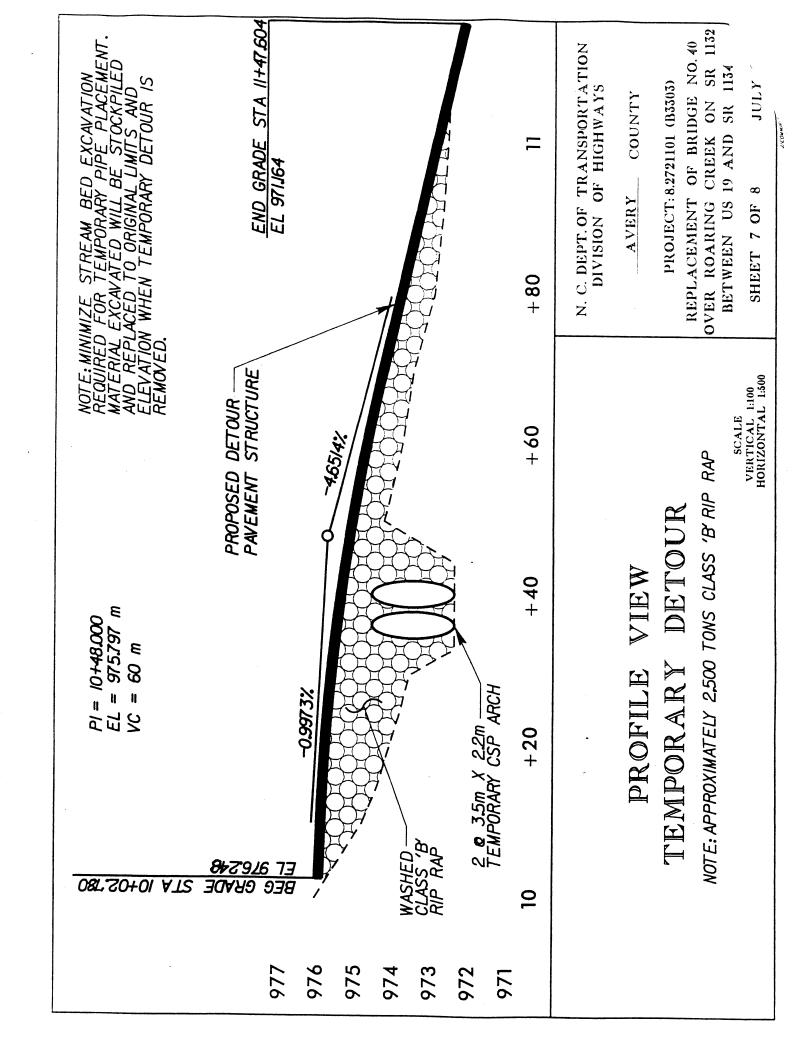
PROJECT: 8.2721101 (B-3303) REPLACEMENT OF BRIDGE NO. 40 OVER ROARING CREEK ON SR 1132 BETWEEN US 19 AND SR 1134

SHEET 2 OF 8

JULY 2001

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	ACTS	Mech	(na)			_	1								0				
	BUFFER IMPACTS	Zone 2	(na)												0				8/17/01
	B	Zone 1	(Bu)												0			RING SR 1134	
		Enclosed Channel													0	SPORTATION IGHWAYS	YTN	OVER ROAUS 19 AND	
		Relocated Channel										-			0	N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS	AVERY COUNTY	1101(B-3303 2 BETWEEN	
	ACTS	Existing Channel Impacted			29										29	N.C. DEP		PROJECT: 8 2/21101(8-3303) OVER ROARING CREEK ON SR 1132 BETWEEN US 19 AND SR 1134	
	SURFACE WATER IMPACTS	Temp. Fill In SW			0 028										3500			PRC	F 8
	SURFACE	Fill In SW (Pond)													0				SHEET 8A OF
\ \		Fill In SW (Natural)													0				6
SUMMARY	ſS	Mechanized Clearing (Method III) (ha)													0				
IMPACT	WETLAND IMPACTS	Excavation In Wetlands (ha)													0	-			
<	WETL	Temp. Fill Excavation In Wetlands In Wetlands (ha)													0				
		Fill In Wetlands (ha)													0				
		Structure Size																*	
		Station (From/To)		10, 40,	10+40 -DE1-														
`		Site No.		100	TO COLOR										IOIALS:				